

**REMARKS/ARGUMENTS**

The Office Action mailed January 13, 2005 has been carefully considered.

Reconsideration in view of the following remarks is respectfully requested.

Formal Drawings are being submitted herewith in compliance with the Office Action.

With this response it is respectfully submitted the claims satisfy the statutory requirements.

**The First 35 U.S.C. § 103 Rejection**

Claims 1, 2, 4-8, 10-12, 13, 14 and 16-19 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Borella et al.<sup>1</sup> in view of Theimer et al.<sup>2</sup>, among which claims 1, 7, 13 and 19 are independent claims. This rejection is respectfully traversed.

According to the Manual of Patent Examining Procedure (M.P.E.P.),

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in the applicant's disclosure.<sup>3</sup>

Specifically, the Office Action contends that the elements of the presently claimed invention are disclosed in Borella except that Borella does not teach a user profile containing the

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<sup>1</sup> U.S. Patent 6,587,433

<sup>2</sup> U.S. Patent 5,555,376

<sup>3</sup> M.P.E.P § 2143.

information including a command set described by regular expression.<sup>4</sup> The Office Action further contends that Theimer teaches a user profile containing the information including a command set described by regular expression and that it would be obvious to one having ordinary skill in the art at the time of the invention to incorporate Theimer into Borella in order to provide for a pattern matching technique with considerable amount of flexibility. The Applicants respectfully disagree for the reasons set forth below.

Contrary to what is alleged in the Final Office Action, Borella does not disclose receiving a user profile for the user at the network device from a AAA server and storing the user profile in a memory accessible by the network device. The Final Office Action cites col. 6, lines 59-67, col. 7, lines 1-67 and col. 8, lines 1-15 of Borella as allegedly teaching the former element, and col. 8, lines 1-15 as allegedly teaching the latter element. However, these sections of Borella make clear that the user profile is located on the RADIUS server, which is a AAA server. Col. 6, lines 59-60 states "[f]or the RADIUS/DIAMETER alternative, each dial-up user has a profile on the RADIUS server". There is nothing in Borella to suggest that this user profile is ever sent to a network device separate and distinct from the AAA server. There is also nothing in Borella to suggest that this user profile is stored on a network device separate and distinct from the AAA server. As such, Borella fails to teach these two elements.

It should be noted that the failure of Borella to teach these two elements also means that the alleged combination of Borella and Theimer would not result in an invention having the same benefits of the present invention. As stated in the Background section of the present application, individual command authorization may be accomplished in the prior art by utilizing the

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<sup>4</sup> Office Action, Page 3.

TACACS+ protocol. It, however, requires that each individual command to be authorized generate a request from a device to the AAA server, which causes delays in authorizing commands and additional network traffic. Any alleged combination of Borella and Theimer would suffer the same drawbacks, as the user profile would be stored on the RADIUS server. Applicant therefore respectfully submits that claim 1 is in condition for allowance.

Claims 7, 13, and 19 contain similar elements, and thus Applicant maintains that these claims are also in condition for allowance.

As to dependent claims 2, 4-6, 8, 10-12, 14, and 16-18, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

#### The Second 35 U.S.C. § 103 Rejection

Claims 3, 9 and 15 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Borella et al. and Theimer et al. in view of Malkin et al.<sup>5</sup>, in further view of Torres et al.<sup>6</sup>. This rejection is respectfully traversed.

Claims 3, 9, and 15 are dependent claims, and thus the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

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<sup>5</sup> U.S. Patent 6,061,650

<sup>6</sup> U.S. Patent 5,897,635

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Conclusion

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.


If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,

THELEN REID & PRIEST, LLP

Dated: 3/11/05

  
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